

## REMARKS

### 1. Claim Status:

- Claims 1-24, 26, 27 and 29-38 are pending.
- Claims 1-11, 17-21, 26, 27, 29-31, 33-35, 37 and 38 are rejected.
- Claims 12-16, 22-25, 28, 32-33 and 36 are cancelled.

### Claim Rejections – 35 USC §103(a)

### 2. Claims 1-10, 17-21, 27-31, 33, 35 and 37

The Office rejected claims 1-10, 17-21, 27-31, 33, 35 and 37 under 35 USC §103(a) as being unpatentable over Tadros et al. (WO 01/02192 A1) in view of Nakagawa et al (3,901,819). Applicants respectfully traverse because *Tadros WO '192* is not a proper reference.

*Tadros '192* was published 01/10/2002.

The instant application claims the benefit of US Provisional Application Serial No. 60/397,424, filed 07/19/2002 (see specification, p. 1, lines 9-11).

Therefore, because *Tadros '192* was published less than 1 year prior to applicant's effective filing date of 07/19/2002, *Tadros '192* is not a proper "102(b) type" reference for use in 103(a) rejections. Hence, the rejections of claims 1-10, 17-21, 27-31, 33, 35 and 37 should be withdrawn.

Claim 33 is cancelled.

Since the Office has made no other rejections of claims 1-10, 21, 35 or 37, then these claims are now in condition for allowance.

However, in order to expedite prosecution, applicants have voluntarily rewritten claim 21 in **independent form**, including all of the limitations of the base claim and any intervening claims.

3. Claims 11, 26, 34, and 38

The Office rejected claims 11, 26, 34, and 38 under 35 USC §103(a) as being unpatentable over *Tadros et al. WO 02/02192*, all said patents individually in view of *Nakagawa et al* (3,901,819) and further in view of *Huth et al.* (6,448,062).

As presented above, *Tadros '192* is not a proper reference. Hence, the rejections of claims 11, 26, 34, and 38 under 35 USC §103(a) should be withdrawn.

Since the Office has made no other rejections of claims 11, 26, 34, or 38, then these claims are now in condition for allowance.

However, in order to expedite prosecution, applicants have voluntarily rewritten claims 26 and 34 in **independent form**, including all of the limitations of the base claim and any intervening claims.

4. Claims 27, 29, 31, and 33

The Office rejected claims 27, 29, 31, and 33 under 35 USC §103(a) as being obvious over by *Krezanoski* (3,852,210) in view of *Nakagawa et al* (3,901,819).

In response, applicants amended claim 27 by restricting the sorbent additive to being selected from the group consisting of sodium sulfate, calcium hypochlorite, calcium chloride, potassium bromide, potassium carbonate, zeolites, precipitated silicas, percarbonates, dendritic salt (sea salt), potassium bromide, urea, and polyols, and combinations thereof.

None of these specific sorbent additives are taught by *Krezanoski* or *Nakagawa*. Hence, a *prima facie* case of obviousness cannot be supported, and the rejection of claim 27, as currently amended, has been overcome.

Claims 29 and 31 depend from claim 27, and are now in condition for allowance.

Applicants wish to point out a pair of conflicting statements made by the Office in the instant Office Action. On page 5, the Office states: "*Krezanoski differs from applicant's claimed invention in that there is **no direct disclosure** to the further addition of a bleaching activator selected from the group consisting of O-acetyl, N-acetyl, and nitrile group bleaching activators.*" However, on page 6, the Office states just the **opposite**: "*...is the actual disclosure of Krasanoski's Example wherein the Acetanilid component **reads on** applicant's N-acetyl type bleach activator*". This is confusing.

Nevertheless, applicants believe that **Acetanilid** is not a bleach activator...rather, it is a peroxide stabilizer. In order to be a bleach activator, the nitrogen must be directly bound to 3 carbon atoms (i.e., not an H atom, as in Acetanilid).

#### 5. Claims 17-20, 27, 29-31 and 33

The Office rejected claims **17-20, 27, 29-31** and **33** under 35 USC §103(a) as being unpatentable over *Hardy* 4,536,314 optionally in view of *Nakagawa* 3,901,819 and/or *Hardy* 4,853,143. The Office notes that *Hardy* lists *sodium citrate* as an ingredient in example 24.

In response, applicants have deleted *sodium citrate* from the list of sorbent additives in claim **17**. Nowhere does *Hardy* ('143) or *Hardy* ('314) or *Nakagawa* teach the use of dendritic salt, calcium hypochlorite, calcium chloride, polyols, urea, or potassium bromide as a sorbent additive, as recited in claim **17**, as currently amended.

Since not all of the elements of amended claim **17** are taught by these references, a *prima facie* case of obviousness cannot be supported. Accordingly, the rejection of claim **17**, as currently amended, has been overcome.

Claims **18-20** depend from claim **17**. Since claim **17** is now in condition for allowance, it follows that dependent claims **18-20** are also now in condition for allowance.

Applicants have also deleted *sodium citrate* from the list of sorbent additives in claim **27**. Nowhere does *Hardy* ('143) or *Hardy* ('314) or *Nakagawa* teach the use of sodium sulfate, calcium hypochlorite, calcium chloride, potassium bromide, potassium carbonate, zeolites, precipitated silicas, percarbonates, dendritic salt (sea salt),

potassium bromide, urea, and polyols, and combinations thereof as a sorbent additive, as recited in claim 27, as currently amended.

Since not all of the elements of amended claim 27 are taught by these references, a *prima facie* case of obviousness cannot be supported. Accordingly, the rejection of claim 27, as currently amended, has been overcome.

Claims 29-31 and 33 depend from claim 27. Since claim 27 is now in condition for allowance, it follows that dependent claims 29-31 and 33 are also now in condition for allowance.

## CONCLUSION

Applicants have responded to each and every objection and rejection, and urge that claims 1-11, 17-21, 26-27, 29-31, 34-35, and 37-38 as presented and amended are now in condition for allowance. Applicants request expeditious processing to issuance.

The Office is authorized to charge **Deposit Account # 19-0131** for any necessary fees regarding this response, including \$ 450 for a two-month extension of time, and \$ 600 for 3 additional independent claims.

Respectfully submitted,



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